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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,457	01/28/2004	Carina Horn	RDID03021US

Brent A. Harris
 Roche Diagnostics Corporation
 9115 Hague Road, Bldg. D
 Indianapolis, IN 46250



CONFIRMATION NO. 3170
FORMALITIES LETTER



OC000000012991901

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 SDIRETAL 00000025 022938 10766457 FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$ 210.00)

Complete if Known

Application Number	10/766,457
Filing Date	January 28, 2004
First Named Inventor	Horn et al.
Group Art Unit	TBD

Examiner Name	TBD
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Attorney Docket Number	RDID 03021US (21395)
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METHOD OF PAYMENT

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number 02-2958

Deposit Account Name Roche Diagnostics Corporation

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES

Total Claims	-20** =	Extra Claims	Fee From Below	Fee Paid
Independent Claims	-3** =			
Multiple Dependent				

Large Entity

Small Entity

Fee Description

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

**or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Brian L. Smiley	Registration No. (Attorney/Agent)	46,458
Signature		Telephone	(317) 521-3295

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: patent application of:) Before the Examiner: TBD
Horn et al.)) Group Art Unit: TBD
Serial No. 10/766,457)) Date: July 22, 2004
Filed: January 28, 2004))
Fluorimetric determination of analytes by an))
intramolecular quencher-fluorophore conjugate))

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NON-PROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)
FILING DATE GRANTED**

MAIL STOP: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On January 28, 2004, the above-identified patent application was filed by Express Mail with an unsigned Declaration and Power of Attorney. In response to the Notice to File Missing Parts of Application mailed June 18, 2004, Applicant encloses herewith the fully executed Declaration and Power of Attorney, along with payment of \$130 for the late declaration surcharge (\$130). A copy of the Notice to File Missing Parts of Non-Provisional Application is also enclosed herewith.

No additional fees are believed to be necessary, however, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account 02-2958, but is not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
<u>July 22, 2004</u> Date of Deposit	
Marsha Breen Name of Registered Representative	
<u>Marsha Breen</u> Signature	

Respectfully submitted,

Brian L. Smiler
Reg. No. 46,458
Roche Diagnostics Operations, Inc.
9115 Hague Road
Indianapolis, IN 46250
(317) 521-3295

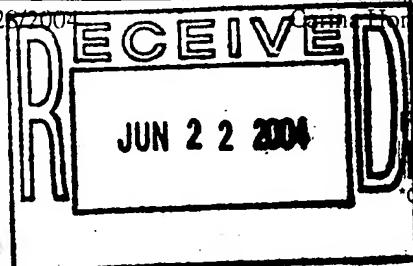


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L. Chan

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Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY